

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KAREL ALVAREZ & JUAN TELLADO,

*Individually and on behalf of all persons
similarly situated,*

Plaintiffs,

v.

BI INCORPORATED,

Defendant.

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CIVIL ACTION

No. 16-2705

ORDER

AND NOW, this 17th day of May, 2018, upon consideration of Plaintiffs’ “Motion to Conditionally Certify a FLSA Collective Action and to Facilitate Notice” (Doc. No. 35), Defendant’s “Motion for Partial Summary Judgment” (Doc. No. 42), Plaintiffs’ “Motion to Stay or Deny Defendant’s Motion for Partial Summary Judgment Pursuant to Fed. R. Civ. P. 56(d)” (Doc. No. 45), and Plaintiffs’ “Motion for Equitable Tolling” (Doc. No. 50), and the respective responses and replies to each, and for the reasons set forth in this Court’s accompanying Memorandum Opinion, it is hereby **ORDERED** that:

1. Plaintiffs’ “Motion to Conditionally Certify a FLSA Collective Action and to Facilitate Notice” (Doc. No. 35) is **GRANTED**.
2. Plaintiffs’ “Motion to Stay or Deny Defendant’s Motion for Partial Summary Judgment Pursuant to Fed. R. Civ. P. 56(d)” (Doc. No. 45) is **GRANTED**.
3. Defendant’s “Motion for Partial Summary Judgment” (Doc. No. 42) is **DENIED WITHOUT PREJUDICE**, with permission to refile following the completion of merits discovery.

4. Plaintiffs' "Motion for Equitable Tolling" (Doc. No. 50) is **DENIED**.
5. The following collective is conditionally certified with respect to Plaintiffs' claims under the Fair Labor Standards Act: "All current and former ISAP Case Specialists employed by BI Incorporated who performed work in the United States between March 18, 2015, and the present."
6. The parties shall meet and confer regarding a notice protocol consistent with the Memorandum Opinion issued on this date, including the content of the notice to be sent to the members of the collective, the method of sending notice, a deadline for additional opt-in plaintiffs to file their written consents, and any other issues the parties consider appropriate. The parties shall submit, **within 21 days of the date of this Order**, a Joint Proposed Notice, along with a statement of any areas of disagreement regarding the notice protocol.

BY THE COURT:

/s/ Mitchell S. Goldberg

MITCHELL S. GOLDBERG, J.